



#5

ATTORNEY DOCKET NO. T8948.CIP

### DECLARATION AND PETITION

As below named inventors, we hereby declare: that our residence, post office addresses, and citizenship are as stated below next to our names; that we verily believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "**A NOVEL CATIONIC LIPOPOLYMER AS BIOCOMPATIBLE GENE DELIVERY AGENT**", the specification of which was filed on February 25, 2002 and is a Continuation-in-Part patent application of Serial No. 09/662,511 filed on September 14, 2000 under Thorpe, North & Western Docket No. T8948; that we have reviewed and understand the contents of the above-identified specification, including the claims; and that we acknowledge the duty to disclose information which is material to patentability as defined in §1.56(a) of Title 37 of the Code of Federal Regulations.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.


Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, and this petition.

Signed this 16 day of March, 2002.

  
\_\_\_\_\_  
INVENTOR: RAM I. MAHATO

RESIDENCE: ~~Murray, Utah~~ Memphis, TN  
CITIZENSHIP: Nepalese  
ADDRESS: ~~797 East 4200 South~~ FM  
~~Murray, Utah 84107~~  
1690 RANDOLPH PLACE  
Apt #9  
Memphis, TN 38163

Signed this 14 day of March, 2002.

  
\_\_\_\_\_  
INVENTOR: SANG-OH HAN

RESIDENCE: Salt Lake City, Utah  
CITIZENSHIP: Korea  
ADDRESS: 133 South 900 East, Apt. 13  
Salt Lake City, Utah 84102

Signed this 14 day of MARCH, 2002.

  
\_\_\_\_\_  
INVENTOR: DARIN Y. FURGESON

Residence: Salt Lake City, Utah  
CITIZENSHIP: United States  
ADDRESS: 1177 University Village  
Salt Lake City, Utah  
84108-3504



Attorney Docket No. T8948.CIP

## POWER OF ATTORNEY

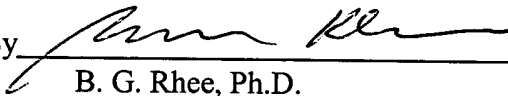
Expression Genetics, Inc., a corporation organized and existing under the laws of the State of Utah, having a business address of 2215 Mock Avenue, Huntsville, Alabama 35801, owner of all right, title and interest in the invention entitled A NOVEL CATIONIC LIPOPOLYMER AS BIOCOMPATIBLE GENE DELIVERY AGENT for which an application for United States Letters patent was filed on February 25, 2002 (which is a continuation-in-part patent application of Serial No. 09/662,511 filed September 14, 2000), and empowered to prosecute the U.S. and foreign applications on behalf of the inventors, hereby appoint as its attorneys and/or patent agents the law firm of THORPE NORTH & WESTERN, LLP, having a business address of 8180 South 700 East, Suite 200, Sandy, Utah 84070, and VAUGHN W. NORTH, Registration No. 27,930; M. WAYNE WESTERN, Registration No. 22,788; CLIFTON W. THOMPSON, Registration No. 36,947; GARRON M. HOBSON, Registration No. 41,073; PETER M. DE JONGE, Registration No. 47,521; WEILI CHENG, Registration No. 44,609; DAVID R. MCKINNEY, Registration No. 42,868; STEVE M. PERRY, Registration No. 45,357; GARY P. OAKESON, Registration No. 44,266; DAVID W. OSBORNE, Registration No. 44,989; KEITH HARGROVE, Registration No. 34,836; and JASON R. JONES, Registration No. P51,008; all with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

All correspondence concerning this application should be directed to:

**M. Wayne Western  
THORPE, NORTH & WESTERN, LLP  
P.O. Box 1219  
Sandy, Utah 84091-1219  
Telephone: (801) 566-6633  
Facsimile: (801) 566-0750**

Dated this 12 day of March 2002 at Expression Genetics, Inc.

Expression Genetics, Inc.

By   
B. G. Rhee, Ph.D.  
Chief Operating Officer